

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMILIANO VAZQUEZ,)	
)	
Petitioner,)	
)	
v.)	Civ. No. 07-812-SLR
)	
MICHAEL DELOY,)	
Warden, and ATTORNEY)	
GENERAL OF THE STATE)	
OF DELAWARE,)	
)	
Respondents.)	

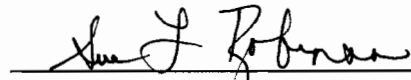
ORDER

At Wilmington this 1st day of August, 2008;

IT IS ORDERED that:

Petitioner Emiliano Vazquez's motion for the transcript of his sentencing hearing is DENIED. (D.I. 3) Petitioner alleges that the State of Delaware is currently reconsidering minimum mandatory sentences for certain drug offenses, and he appears to want the transcript to aid his filing of a motion for sentence reduction or modification in the Delaware courts. However, aiding petitioner in pursuing a modification of his sentence in the Delaware state courts does not constitute "good cause" for the purposes of granting the motion, because petitioner has not demonstrated how the sentencing transcript would support the claims raised in his federal habeas petition. See Rule 6(a)(b), 28 U.S.C. foll. § 2254; Bracy v. Gramley, 520 U.S. 899, 908-09 (1997)(good cause is shown "where specific allegations before the court show reason to believe that the petitioner may, if the facts are fully developed, be able to demonstrate that he is ... entitled to relief."); Deputy v. Taylor, 19 F.3d 1485, 1493 (3d Cir. 1994)(a

petitioner establishes "good cause" by "point[ing] to specific evidence that might be discovered that would support a constitutional claim."). Moreover, the record filed by the by the State provides sufficient information for the court to review petitioner's pending application.


UNITED STATES DISTRICT JUDGE